

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

)	
TARGET STAFFING, INC.)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:05-CV-11551
)	
DIVERSIFIED INVESTMENT)	
ADVISORS, INC.)	
)	
Defendant.)	
)	

**JOINT STATEMENT OF THE
PARTIES PURSUANT TO LOCAL RULE 16.1(D)**

Plaintiff Target Staffing, Inc. (“Target”) and Defendant Diversified Investment Advisors, Inc. (“Diversified”) hereby submit this Joint Statement pursuant to Local Rule 16.1 of the United States District Court for the District of Massachusetts and the Court’s Notice of Scheduling Conference.

I. SUMMARY OF POSITIONS

A. Target's Position

The claims at issue flow from Diversified’s breach of a Temporary Services Agreement (“Agreement”) which provides that Diversified must compensate Target in the event it directly or indirectly hires and/or converts any temporary personnel referred to it by Target. Starting in or about April 2005, Diversified repeatedly breached the parties’ Agreement by improperly hiring and/or converting five (5) such temporary personnel without compensating Target. As a result of Diversified’s actions, Target has suffered damages of at least **\$125,000**.

B. Diversified's Position

Diversified denies the existence of a valid, enforceable agreement between the parties. In addition, assuming *arguendo* that Target establishes the existence of such an agreement, Diversified denies that it did anything violative of, or improper in regard to, such an agreement.

II. PROPOSED PRETRIAL SCHEDULE AND DISCOVERY PLAN

The parties are unable to agree on a Proposed Pre-Trial Schedule and Discovery Plan and, therefore, each party hereby submits their own proposal for the Court's review.

A. Plaintiff's Proposed Pre-Trial Schedule and Discovery Plan

February 1, 2006	Deadline for completion of all fact discovery, including requests for production of documents, interrogatories, and fact witness depositions.
February 14, 2006	Plaintiff to disclose its expert and expert reports.
March 1, 2006	Deadline for filing dispositive motions, if any party determines that such a motion is appropriate. Both parties may file a reply/sur-reply to the opposition or reply brief of the other party.
March 14, 2006	Defendant to disclose their experts and expert reports.
April 1, 2006	Local Rule 16.3 Case Management Conference and hearing on any dispositive motions.
April 15, 2006	Depositions of Plaintiffs and Defendants' experts to be completed.

B. Defendant's Proposed Pre-Trial Schedule and Discovery Plan

April 28, 2006	Deadline for completion of all fact discovery, including requests for production of documents, interrogatories, and fact witness depositions.
May 16, 2006	Plaintiff to disclose its expert and expert reports.
June 30, 2006	Defendant to disclose their experts and expert reports.
August 18, 2006	Depositions of Plaintiffs and Defendants' experts to be completed.
September 30, 2006	Deadline for filing dispositive motions, if any party determines that such a motion is appropriate. Both parties may file a reply/sur-reply to the opposition or reply brief of the other party.
October 30, 2006	Local Rule 16.3 Case Management Conference and hearing on any dispositive motions.

The parties request that a final pre-trial conference be set within 60 days of any decision on dispositive motions, if the case is not disposed of on summary judgment. If neither party files for summary judgment, the parties request a final pre-trial conference date be set within 60 days of completion of expert discovery.

III. SETTLEMENT

Plaintiff has submitted a settlement proposal. Defense counsel will confer with Defendant and be prepared to respond to the proposal at the scheduled conference.

IV. CERTIFICATIONS

Local Rule 16.1(D)(3) certifications will be filed by each of the parties under separate cover. The parties have not agreed to have a trial in front of a Magistrate Judge.

WHEREFORE, Plaintiff and Defendant respectfully request that the Court approve their Proposed Pretrial Schedule and Discovery Plan, with such amendments that the Court deems just and proper.

**DIVERSIFIED INVESTMENTS
ADVISORS, INC.**

By its attorneys,

/s/ Mayeti Gametchu
Kevin J. O'Connor, BBO# 555250
Mayeti Gametchu, BBO# 647787
PARAGON LAW GROUP, LLP
184 High Street
Boston, Massachusetts 02110
Telephone (617) 399-7950
Fax (617) 399-7955

TARGET STAFFING, INC.

By its attorney,

/s/ Alexander Furey
Alexander Furey, BBO# 634157
FUREY & ASSOCIATES LLC
28 State Street, Suite 1100
Boston, Massachusetts 02110
Telephone (617) 573-5114
Fax (617) 573-5115

Dated: September 28, 2005